

#### 4. Availability

The DSEIS/SDEIR is scheduled to be distributed for public review and comment in August 1995. All interested persons are encouraged to respond to this notice and provide a current address if you wish to be contacted about the DSEIS/SDEIR public involvement process.

Dated: March 24, 1995.

**Michael P. Stuhr,**

*LTC, EN, Colonel, Corps of Engineers Deputy District Engineer.*

[FR Doc. 95-8241 Filed 4-4-95; 8:45 am]

BILLING CODE 5000-BF-M

#### DEPARTMENT OF EDUCATION

[CFDA No.: 84.165A]

##### Magnet Schools Assistance Program

**AGENCY:** Department of Education.

**ACTION:** Correction.

**SUMMARY:** On March 20, 1995, the Department of Education published in the **Federal Register** a notice inviting applications under the Magnet Schools Assistance Program. On page 14869, in the first column, next to the last paragraph, the date applicants must submit proof to the Department of Education of approval of all modifications to their plans should be changed from April 17, 1995 to June 9, 1995.

**FOR FURTHER INFORMATION CONTACT:**

Steven L. Brockhouse, U.S. Department of Education, 600 Independence Avenue SW., Portals Room 4509, Washington, D.C. 20202-6140. Telephone (202) 260-2476. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

**Program Authority:** 20 U.S.C. 3021-3032.

Dated: March 30, 1995.

**Thomas W. Payzant,**

*Assistant Secretary, Elementary and Secondary Education.*

[FR Doc. 95-8255 Filed 4-4-95; 8:45 am]

BILLING CODE 4000-01-P

#### DEPARTMENT OF ENERGY

##### Reimbursement for Costs of Remedial Action at Active Uranium and Thorium Processing Sites

**AGENCY:** Office of Environmental Management, Department of Energy.

**ACTION:** Notice of the acceptance of claims and the availability of funds for reimbursements in fiscal year 1995.

**SUMMARY:** This Notice announces the Department of Energy's acceptance of claims for reimbursement and the availability of approximately \$41.7 million in funds for fiscal year 1995 for reimbursements of certain costs of remedial action at eligible active uranium and thorium processing sites pursuant to Title X of the Energy Policy Act of 1992. The Department of Energy anticipates that claims submitted by licensees in fiscal year 1995 together with outstanding approved claims from fiscal year 1994 will exceed \$41.7 million and would therefore be subject to prorated payment. In addition, the Department of Energy is announcing an adjustment for inflation to the statutory per dry short ton limit on reimbursement to uranium licensees and the aggregate limit on reimbursement to uranium and thorium licensees. Lastly, the Department of Energy is announcing changes in the quantity of Federal-related or total dry short tons of byproduct material and Federal reimbursement ratio for the Western Nuclear Incorporated, Split Rock mill site, in Jeffrey City, Wyoming, and the American Nuclear Corporation, Gas Hills mill site, in Gas Hills, Wyoming, and the preliminary per dry short ton limit on reimbursement to uranium licensees.

**DATES:** The closing date for the submission of claims for reimbursement in fiscal year 1995 is June 16, 1995.

**ADDRESSES:** Claims may be mailed to the Environmental Restoration Division, U.S. Department of Energy, 2155 Louisiana NE., Suite 10000, Albuquerque, NM 87110. All claims should be addressed to the attention of James B. Coffey and sent by registered or certified mail, return receipt requested.

**FOR FURTHER INFORMATION CONTACT:**

James Coffey, Environmental Restoration Division, U.S. Department of Energy, (505) 845-4628.

**SUPPLEMENTARY INFORMATION:** The Department of Energy published a final rule under 10 CFR part 765 in the **Federal Register** on May 23, 1994 (59 FR 26714) to implement the requirements of Title X of the Energy Policy Act of 1992 (sections 1001-1004 of Pub. L. 102-486, 42 U.S.C. 2296a *et seq.*) and to establish the procedures for eligible licensees to submit claims for reimbursement. Title X requires the Department of Energy to reimburse eligible uranium and thorium licensees for certain costs of decontamination,

decommissioning, reclamation, and other remedial action incurred by licensees at active uranium and thorium processing sites to remediate byproduct material generated as an incident of sales to the United States Government. To be reimbursable, costs of remedial action must be for work which is necessary to comply with applicable requirements of the Uranium Mill Tailings Radiation Control Act of 1978 (42 U.S.C. 7901 *et seq.*) or, where appropriate, with requirements established by a state pursuant to a discontinuance agreement under section 274 of the Atomic Energy Act of 1954 (42 U.S.C. 2021). Claims for reimbursement of costs of remedial action must be supported by reasonable documentation as determined by the Department of Energy in accordance with 10 CFR part 765. Section 1001(b)(2) of the Energy Policy Act of 1992 limits the amount of reimbursement paid to any one licensee of an active uranium site to an amount not to exceed \$5.50, as adjusted annually for inflation, multiplied by the dry short tons of byproduct material located at the site on October 24, 1992, and generated as an incident of sales to the United States. Total reimbursement, in the aggregate, for work performed at the active uranium processing sites shall not exceed \$270 million, as adjusted annually for inflation. Total reimbursement for work performed at the active thorium processing site shall not exceed \$40 million, as adjusted annually for inflation, and is limited to costs incurred for offsite disposal. Funds for reimbursement will be provided from the Uranium Enrichment Decontamination and Decommissioning Fund established at the United States Department of Treasury pursuant to section 1801 of the Atomic Energy Act of 1954 (42 U.S.C. 2297g). Payment or obligation of funds shall be subject to the requirements of the Anti-Deficiency Act (31 U.S.C. 1341).

To make the inflation adjustments indicated above, the Department of Energy is required by 10 CFR 765.12 to apply the Consumer Price Index-Urban (CPI-U) annually, beginning in 1994, using the CPI-U as published by the Bureau of Labor Statistics within the Department of Commerce for the preceding calendar year. The CPI-U for 1993 was 1.030. Therefore, the adjusted values of the \$5.50 per dry short ton, \$270 million, and \$40 million statutory ceilings in 1994 were \$5.67 per dry short ton, \$278.1 million, and \$41.2 million, respectively (i.e., \$5.50, \$270 million, and \$40 million multiplied by 1.030 equals \$5.67, \$278.1 million, and

\$41.2 million, respectively). In 1994, the Department of Energy issued the first reimbursements to uranium and thorium licensees totaling \$33,368,448.46 and \$7,000,351.53, respectively. Subsequently, the total remaining reimbursement ceiling for uranium and thorium licensees in 1994 was \$244,731,551.54 and \$34,199,648.47. The CPI-U for 1994 was 1.027. Therefore, the adjusted values of the per dry short ton ceiling and the total remaining reimbursement ceiling for uranium and thorium licensees for 1995 are \$5.82, \$251,339,303.43, and \$35,123,038.98. These amounts were determined by multiplying the ceiling values for 1994 by 1.027.

The Department of Energy published its determination on the Federal-related and total dry short tons of byproduct material and Federal reimbursement ratio for each eligible active uranium processing site in the May 23, 1994, **Federal Register** (59 FR 26714). Since then, additional records were made available to the Department of Energy on the quantities of dry short tons of byproduct material at the Western Nuclear Incorporated, Split Rock mill site in Jeffrey City, Wyoming, and the American Nuclear Corporation, Gas Hills mill site, in Gas Hills, Wyoming. After reviewing these records, the Department of Energy is revising the quantity of Federal-related or total dry short tons of byproduct material and Federal reimbursement ratio for these two uranium processing sites. The Department of Energy has determined that the quantity of Federal-related and total dry short tons of byproduct material at the Western Nuclear Incorporated site as of October 24, 1992, is 3.626 million dry short tons and 8.2 million dry short tons, respectively; and the quantity of Federal-related dry short tons of byproduct material at the American Nuclear Corporation site as of October 24, 1992, is 2.202 million dry short tons. The total quantity of dry short tons of byproduct material for the American Nuclear Corporation site, however, remains at 6.0 million dry short tons. Because of these quantity increases, the Federal reimbursement ratio for the Western Nuclear Incorporated and American Nuclear Corporation sites is also being revised to 0.442 and 0.367, respectively (i.e., 3.626 million dry short tons divided by 8.2 million dry short tons equals 0.442 and 2.202 million dry short tons divided by 6.0 million dry short tons equals 0.367). The Department of Energy's reports on these revisions are available upon written request to the Environmental Restoration Division, U.S. Department

of Energy, 2155 Louisiana NE., Suite 10000, Albuquerque, NM 87110. Because of these quantity increases, the total amount of Federal-related dry short tons of byproduct material at all eligible active uranium processing sites is 56.521 million dry short tons.

In the May 23, 1994, **Federal Register** (59 FR 26714), the Department of Energy announced that it was establishing a preliminary per dry short ton limit of \$4.80 on reimbursement to licensees of eligible uranium processing sites. This was necessary because the \$270 million statutory ceiling would not support the maximum allowable reimbursement of \$5.50 per dry short ton, as established by Title X, if remedial action costs at all of the eligible uranium processing sites reach or approach this per dry short ton limit. Because of the above quantity revisions to the Western Nuclear Incorporated and American Nuclear Corporation sites, the preliminary per dry short ton limit on reimbursement is \$4.78 (i.e., \$270 million divided by the total amount of Federal-related dry short tons of byproduct material present at all eligible active uranium processing sites, 56.521 million dry short tons, equals \$4.78). The Department of Energy is adjusting the \$4.78 preliminary per dry short ton limit to account for inflation using the CPI-U values discussed above. The adjusted per dry short ton limit in 1994 was \$4.92 (i.e., \$4.78 multiplied by 1.030 equals \$4.92). The adjusted per dry short ton limit in 1995 is \$5.05 (i.e., \$4.92 multiplied by 1.027 equals \$5.05). The Department of Energy will further adjust the preliminary per dry short ton limit on reimbursement annually for inflation or if other circumstances, as determined by the Department of Energy, require an adjustment.

**Authority:** Section 1001-1004 of Pub. L. 102-486, 106 Stat. 2776 (42 U.S.C. 2296a *et seq.*)

Issued in Washington D.C. on this 29th of March, 1995.

**David E. Mathes,**

*Director, Offsite Program Division, Office of Southwestern Area Programs, Environmental Restoration.*

[FR Doc. 95-8360 Filed 4-4-95; 8:45 am]

BILLING CODE 6450-01-P

### Long-Term Storage and Disposition of Weapons-Usable Fissile Materials

**AGENCY:** Department of Energy.

**ACTION:** Notice of Intent.

**SUMMARY:** On June 21, 1994, the Department of Energy (DOE) published a Notice of Intent to prepare a PEIS for the Long-Term Storage and Disposition of Weapons-Usable Fissile Materials (59

FR 31985). By this notice of an amendment, DOE is amending the scope of the PEIS by removing the disposition of all surplus HEU from the PEIS. Instead, DOE will address the disposition of surplus HEU in a separate EIS. This action is based on the need to move forward on a rapid path for neutralizing the proliferation threat of surplus HEU and to demonstrate to other nations the United States' nonproliferation commitment. The disposition of HEU will involve different time frames, technologies, facilities and personnel than those required for the disposition of plutonium. Therefore, the decisions on surplus HEU disposition do not affect or preclude other decisions to be made on the long-term storage and disposition of other weapons-usable fissile materials, can proceed regardless of decisions pursuant to the PEIS, and are independently justified. The scope of the PEIS will continue to include the long-term storage of non-surplus weapons-usable fissile materials, including HEU, and the disposition of plutonium and other fissile materials. The EIS on the disposition of surplus HEU is scheduled for completion in early 1996. To ensure consideration of comments in the Draft EIS, written comments must be postmarked by May 1, 1995. Late comments will be considered to the extent practical.

**ADDRESSES:** Written requests for the Implementation Plan, the Draft EIS, and Final EIS on the disposition of surplus HEU should be sent to: Office of Fissile Materials Disposition (MD-1), Attention: HEUEIS, Forrestal Building, U.S. Department of Energy, 1000 Independence Avenue SW, Washington, DC 20585.

Written requests for the Implementation Plan, the Draft PEIS, and Final PEIS on the long-term storage and disposition of weapons-usable fissile materials should be sent to: Office of Fissile Materials Disposition (MD-1), Attention: PEIS, Forrestal Building, U.S. Department of Energy, 1000 Independence Avenue SW, Washington, DC 20585.

**FOR FURTHER INFORMATION CONTACT:** For general information on the DOE National Environmental Policy Act (NEPA) process, please contact: Ms. Carol M. Borgstrom, Director, Office of NEPA Policy and Assistance (EH-42), Forrestal Building, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585. Ms. Borgstrom can be reached at (202) 586-4600. Comments and questions about the NEPA process can also be left on the DOE NEPA hotline, 1-800-472-2756.